

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JONIK D. ROBINSON,

Plaintiff,

v.

RANDY LACROIX GIBSON, *et al.*,

Defendants.

CASE NO. C23-1384-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Plaintiff's motion for default judgment (Dkt. No. 26) against Defendants Randy Lacroix Gibson and Lawand Anderson. The Court DENIES the motion for the reasons explained below.

The Court has described the facts of this case in a prior order and will not repeat them again. (*See* Dkt. No. 25.) On February 12, 2024, Plaintiff filed a request for entry of default and motion for default judgment, asserting that Defendants had been served with service of process but failed to timely plead or otherwise defend. (Dkt. No. 26 at 1–3) (citing Fed. R. Civ. P. 55(a)). Yet, Plaintiff failed to cite to a valid affidavit of service as required by FRCP 4(l). Furthermore, because service by mail was not authorized by the Court, service was ineffective. Even so, Plaintiff moved for default judgment despite the Court's ruling dismissing Plaintiff's case with

1 prejudice. (*See* Dkt. No. 25.)

2 Entry of default and entry of judgment on default are governed by Local Civil Rule 55.
3 “No motion for judgment by default should be filed against any party unless the court has
4 previously granted a motion for default against that party pursuant to LCR 55(a) or unless default
5 otherwise has been entered.” W.D. Wash. Local Civ. R. 55(b)(1).

6 In view of the foregoing, the Court DENIES Plaintiff’s motion for default judgment (Dkt.
7 No. 26) because Plaintiff filed the motion, without default having ever been entered against
8 Defendants and because Plaintiff has not demonstrated valid service. Accordingly, the Clerk may
9 not enter default, and the Court cannot grant the instant motion. *See* W.D. Wash. Local Civ. R
10 55(b)(1).

11 DATED this 19th day of April 2024.

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13 Ravi Subramanian
Clerk of Court

14 s/Kathleen Albert
15 Deputy Clerk
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